

### **REMARKS**

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

#### **Disposition of Claims**

Claims 1-13 are pending in this application. Of these claims, claims 1 and 13 are independent, and the remaining claims, directly or indirectly, depend from claim 1.

#### **Claim Amendments**

By way of this reply, claims 1 and 13 have been amended to clarify the claimed invention. Specifically, the term, “wherein each of said files of fixed length is categorized as image recording data corresponding to one of recording modes and, further, is associated with user information and image recording information for administering and recording a location in which the image recording data are arranged,” has been incorporated into the claims. Further, claims 1 and 13 have been amended to correct antecedent basis. No new matter has been added by these amendments. Support for the amendments may be found, for example, in Figures 3A-3C and paragraph [0045] of the published application.

#### **Objection(s)**

Claims 1 and 13 were objected to for informalities. Specifically, the Examiner stated there was no antecedent basis for the term “recording media” recited in the claims. By way of this

reply, claims 1 and 13 have been amended to correct the informalities. Accordingly, withdrawal of this objection is respectfully requested.

**Rejection(s) under 35 U.S.C. § 103**

Claims 1-13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,017,078 (“Frimout”) in view of U.S. Patent No. 7,116,889 (“Kweon”). As discussed above, by way of this reply, independent claims 1 and 13 have been amended to clarify the claimed invention. To the extent that this rejection may still apply to independent claims 1 and 13, as amended, the rejection is respectfully traversed for the reasons set forth below.

At the outset, the Applicant respectfully takes issue with the Examiner’s assertion that the previous response attempted to distinguish prior art based on limitations in the specification. This is not true. The section to which the Examiner refers is explicitly couched in terms of “in certain embodiments,” and was provided solely to enhance the Examiner’s understanding of the invention by way of example. All arguments in the previous response, as well as in this response, are based on the language of the claims themselves without any attempt to import of limitations from the specification.

As noted previously, one or more embodiments of the claimed invention are directed to an image recording apparatus of addressing unexpected power failure. In particular, one or more embodiments are directed to an apparatus for recording digital image information in a recording medium by categorizing the data into groups including, for example, user information, and image recording information.

As discussed in the previous response, independent claim 1 requires that the recovery means retrieves a file having been recorded at the interruption of the power supply from the files. For a scheduled data recording operation to a file, in which an end sign is recorded at the end of the operation, the file becomes incapable of being read or written if the recording operation is interrupted while recording to the file because the end sign is missing. This may occur, for example, due to a power failure. Accordingly, such a function of the recovery means, as required by the claimed invention, enables a file missing an end sign to be in a readable and writable state by executing a closing process of the file.

Applicant respectfully notes that the above function of the recovery means, as required by the claimed invention, is advantageous particularly when applied to a data structure including a plurality of files categorized as image recording data corresponding to one of a plurality of recording modes, such as time-shift image recording data for a time-shift image recording mode and normal image recording data for a normal image recording mode, which are associated with image recording information for administering and recording a location in which the image recording data are arranged.

This is because such data structure including a plural data mode makes a recording operation more complicated. For example, referring one embodiment of the claimed invention for purposes of illustration only, conventionally, in this type of data structure, when accessing (reading/writing) image data of area E3 or E4, image recording information RFj of area E2 is referred to, and the access is made based on the reference result. Accordingly, even when image data (image recording data RCD or time-shift data TSD) is not defective and in a perfect state, if the contents of image recording information RFj are corrupted or incomplete, the image data (image

recording data RCD or time-shift data TSD) recorded in area E3 or E4 can not be deleted or read, resulting in a wasted memory area in HDD 27 that can not be used (See, paragraph [0048] of the published application).

Accordingly, independent claim 1 further includes, in part, *“wherein each of said files of fixed length is categorized as image recording data corresponding to one of a plurality of recording modes and, further, is associated with user information and image recording information for administering and recording a location in which the image recording data are arranged.”* Due to this feature, after a power failure, even if the recording information is corrupted or incomplete, image recording data can be retrieved if they are not defective and in a perfect state.

In contrast, Frimout shows a power failure recovery mechanism. However, Frimout fails to teach or suggest, at least, any feature for contributing to retrieving image recording data regardless of corruption or incompleteness of the recording information comprising the same data structure, as does the claimed invention.

Kweon shows a real-time compensation apparatus for a digital television. However, Kweon does not provide that which Frimout lacks with respect to independent claim 1, as amended. This is also evidenced by the fact that Kweon was cited merely as showing a system with which users can reserve recordings and store scheduling information in a flash memory.

As discussed above, by way of this reply, independent claim 1 has been amended, and now explicitly recites the feature, which neither Frimout, nor Kweon, shows or suggests, that is, *“wherein each of said files of fixed length is categorized as image recording data corresponding to one of a plurality of recording modes and, further, is associated with user information and image*

*recording information for administering and recording a location in which the image recording data are arranged."*


In view of the above, independent claim 1, as amended, is patentable over Frimout and Kweon, because, whether considered separately or in combination, the references fail to teach or suggest all of the limitations of the claims. Independent claim 13, as amended, includes substantially the same limitation as that of independent claim 1, as amended. Therefore, claim 13 is patentable for at least the same reasons as claim 1. By virtue of their dependence, claims 2-12 are patentable for at least the same reasons as claim 1. Accordingly, withdrawal of the rejection is respectfully requested.

**Conclusion**

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 04536/024001).

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Respectfully submitted,

By  \_\_\_\_\_

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